

RESOLUTION NO. 20050929-020

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire a certain real property interest for public purposes as set out below; and

WHEREAS, the City of Austin has attempted to purchase that real property interest but title to the needed real property interest is not curable through standard means; therefore condemnation is required; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owner now having, or who may acquire, an interest in the real property interest needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition.

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owner: Ridgway-Hendrickson, Inc., dba Ridgway, Inc.

Project: Onion Creek/Lower South Boggy Phase II Project, a portion of the Austin Clean Water Program

Intended Purpose: the permanent access easement described in the attached Exhibit "A" is needed to access the permanent wastewater line easement that is necessary to install, operate, maintain, repair, replace, and upgrade permanent wastewater lines and appurtenances thereto, in order to increase and improve the City's ability to provide sanitary sewer services to the public, to prevent leakage from wastewater lines, and to comply with a federal mandate.

Location: 8201 Bluff Springs Road, Austin, Travis County, Texas.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: September 29, 2005

ATTEST: Shirley A. Brown
Shirley A. Brown
City Clerk

Ridgeway, Inc.
Lot 1, Boggy Creek Addition Amended
To
City of Austin
(20-Foot Access Easement)

FIELD NOTES FOR PARCEL 5203.12 AE

ALL OF THAT CERTAIN 0.034-ACRE (1,461 SQUARE FEET) TRACT OR PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOT 1, BOGGY CREEK ADDITION AMENDED AS RECORDED IN VOLUME 75, PAGE 299 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED TO RIDGEWAY, INC. BY WARRANTY DEED AS RECORDED IN VOLUME 9025, PAGE 476 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING for Point of Reference at a PK nail found (from said PK nail a 60D nail found bears N63°00'32"E a distance of 3.33 feet) on the east right-of-way line of Bluff Springs Road (Right-of-Way Varies), same being a north corner of the remaining portion of said Lot 1, and also being the southwest corner of that certain 52.226-acre tract conveyed to the City of Austin in Document No. 2000084534 of the Official Public Records of Travis County, Texas; (from said PK nail found a 60D nail found at the most northerly corner of said Lot 1 bears N63°00'32"E a distance of 3.33 feet; and from said 60D nail found a ½" iron rod found for an angle point in the northeast line of said Lot 1 bears S60°16'11"E a distance of 354.90 feet); Thence with said right-of-way line S18°28'53"W a distance of 61.60 feet to a nail set having Texas State Plane Grid Coordinate (Texas Central Zone, NAD83/93, U.S. Feet, Combined Scale Factor 0.99996) values of N=10,035,003.582 and E=3,107,084.245 for the northwest corner and **POINT OF BEGINNING** of the herein described tract of land;

THENCE, through said remaining portion Lot 1, N70°35'59"E a distance of 64.63 feet to a nail set in the southwest edge of an existing 20-foot wastewater easement as recorded in Volume 5403, Page 167 of the Deed Records of Travis County, Texas for the northeast corner of this tract;

THENCE, continuing through said remaining portion Lot 1, and with the southwest edge of said wastewater easement the following two courses:

1) S22°44'57"E a distance of 18.07 feet to a nail set for an angle point of this tract;

2) S56°23'04"E a distance of 2.46 feet to a nail set for the southeast corner of this tract;

THENCE, continuing through said remaining portion Lot 1, S70°35'59"W a distance of 82.72 feet to a nail set in the east right-of-way line of said Bluff Springs Road for the southwest corner of this tract; from said nail set a ½" iron rod found bears S18°28'53"W a distance of 121.91 feet and S07°33'11"W a distance of 240.82 feet;

THENCE, with said east right-of-way line, N18°28'53"E a distance of 25.34 feet to the **POINT OF BEGINNING** and containing 0.034-acre (1,461 square feet) of land, more or less.

I HEREBY CERTIFY that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground during February of 2004 and updated in December of 2004 under my supervision

Prepared by **Landmark Surveying, Inc.**

Paul J. Flugel

Paul J. Flugel
Registered Professional Land Surveyor No. 5096
December 30, 2004



Bearing Basis: Texas State Plane Coordinates, Central Zone 4203, NAD '83 HARN. Horizontal and Vertical Coordinates for the reference monuments N012 as published by the Texas Department of Transportation and CB14 and CB 15 as published by the City of Austin were used as the controlling monuments for this survey. Combined scale factor=0.99996

Austin Map No.674, Grid No.H14
TCAD No. 04-3108-0418

Z:\technical\LAN\Lower Boggy Creek\field notes\
(Originally) 5202.11-AE-Lot 1 Boggy Creek Add.doc
(Revised) 5203.12-AE-Lot 1 Boggy Creek Add.doc



**SURVEY OF A PORTION OF THE SANTIAGO DEL VALLE GRANT,
LOT 1, BOGGY CREEK ADDITION AMENDED,
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

SCALE 1"=100'

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
- ▲ NAIL FOUND (AS NOTED)
- NAIL SET
- ⊕ GAS PIPELINE MARKER
- WWMH WASTEWATER MANHOLE
- () RECORD INFORMATION
- BK. BOOK
- PG. PAGE
- VOL. VOLUME
- P.R.T.C.T. Plat Records
Travis County, Texas
- D.R.T.C.T. Dead Records
Travis County, Texas
- R.P.R.T.C.T. Real Property Records
Travis County, Texas
- O.P.R.T.C.T. Official Public Records
Travis County, Texas
- C.O.A. City of Austin

NOTES:

NAD 83 (93HARN)
COORDINATE SYSTEM (GRID)
TEXAS CENTRAL (4203)
COMBINED SCALE FACTOR 0.99996
NAVD 88 VERTICAL DATUM
HORIZONTAL AND VERTICAL COORDINATES FOR IH35-1 AND GLN-2 AS ESTABLISHED BY McGRAY & McGRAY LAND SURVEYORS, INC., AND CB14 AND CB15 AS ESTABLISHED AND PUBLISHED BY THE CITY OF AUSTIN, AND NO 12 AS ESTABLISHED AND PUBLISHED BY TXDOT WERE USED AS THE CONTROLLING MONUMENTS FOR THIS SURVEY.

HELD IH35-1 AND GLN-2 AS BEARING BASIS, WITH IH35-1 AS THE PIVOT POINT.

GPS IH35-1 - COTTON SPINDLE SET IN ASPHALT OF NORTHBOUND "BREAKDOWN" LANE, ±1.1' WEST OF EASTERLY EDGE OF ASPHALT, ± 24.7' SOUTH OF NORTH END OF GUARD RAIL, ±33.0' SOUTHWEST OF MILE #228 MARKER, & ±22.0' NORTHWEST OF THIRD GUARDRAIL POST. ELEVATION 612.84. GRID COORD N./10,038,443.58, E./3,104,140.97. (PIVOT POINT)

GPS GLN-2 - 1/2" IRON ROD SET WITH CAP, ±0.7 OF A MILE ALONG DIRT ROAD FROM ACCESS GATE AT GRELE LANE, ±18' WEST OF DIRT ROAD, AND ±100' SOUTH OF LIFT STATION. ELEVATION 539.82. GRID COORD N./10,034,453.17, E./3,109,136.06.

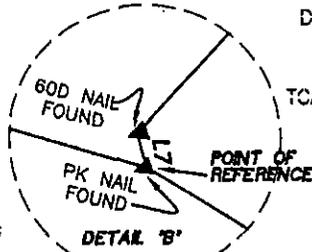
(C1)
(Delta=07°43'58")
(Ch.B=S 01°49'02" W)
(C=159.81')
(L=159.93')
(R=1185.00')

(C2)
(Delta=01°26'49")
(Ch.B=S 07°51'05" W)
(C=28.91')
(L=28.91')
(R=1145.00')

(C3)
(Delta=00°32'49")
(Ch.B=N 02°36'19" E)
(C=195.98')
(L=195.98')
(R=20527.59')

| No. | BEARING | DISTANCE |
|-------|-----------------|-----------|
| L1 | N 70°35'59" E | 64.63' |
| L2 | S 22°44'57" E | 18.07' |
| L3 | S 56°23'04" E | 2.46' |
| L4 | S 70°35'59" W | 82.72' |
| L5 | N 18°28'53" E | 25.34' |
| L6 | S 18°28'53" W | 61.60' |
| L7 | N 63°00'32" E | 3.33' |
| (L7) | (N 59°43'55" E) | (3.42') |
| L8 | S 18°28'53" W | 208.85' |
| (L8) | (S 19°08'59" W) | (209.65') |
| (L9) | (N 58°49'02" E) | (49.81') |
| (L10) | (N 59°49'02" E) | (48.44') |

CITY OF AUSTIN
(PARKLAND)
DOC # 2000084534
O.P.R.T.C.T.
(52.226-ACRES)
TCAD ID 0430010154



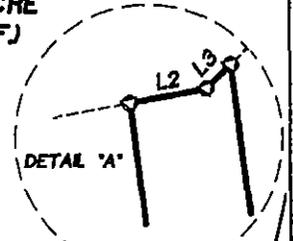
EXISTING 20' WASTEWATER EASEMENT
VOLUME 10297, PAGE 782
R.P.R.T.C.T.

EXISTING 20' WASTEWATER EASEMENT
VOLUME 5403, PAGE 167
R.P.R.T.C.T.

REMAINING PORTION OF LOT 1 BOGGY CREEK ADDITION AMENDED BOOK 75, PAGE 299 P.R.T.C.T.

RIDGEWAY, INC.
VOLUME 9025, PAGE 476
R.P.R.T.C.T.

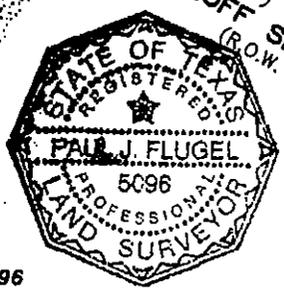
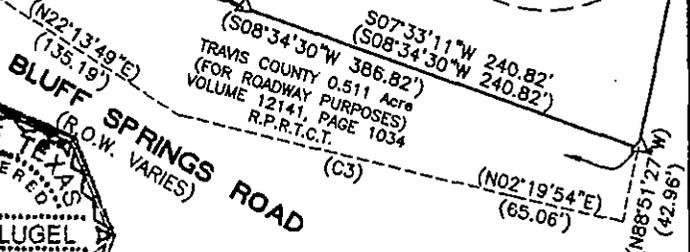
PARCEL 5203.12 AE
PROPOSED ACCESS EASEMENT
0.034-ACRE
(1,461 S.F.)



(C1) SEE DETAIL 'B'

POINT OF BEGINNING
N 10,035,003.582
E 3,107,084.245
N (GRID)
18°28'53" E
121.91'

EXISTING TRAVIS COUNTY DRAINAGE WATER WAY EASEMENT (0.078 AC)
VOLUME 12141, PAGE 1034
R.P.R.T.C.T.



AS SURVEYED BY
LANDMARK SURVEYING, INC.

Paul J. Flugel

PAUL J. FLUGEL
Registered Professional Land Surveyor No. 5096
DATE: DECEMBER 30, 2004

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE AND SEAL OF THE ABOVE SURVEYOR.

Client: LOCKWOOD, ANDREWS & NEWNAM, INC.
Date: FEBRUARY 9, 2004 Revised December 30, 2004
Office: rv garola/KGM
Crew: mason-lee
F.B.: 693/25 677/49
Disk: z:\lan\lower boggy creek\Landmark Drawing\Grid-E\South-Boggy-Cr
Cogo: a:\LEE LAN-BOGGY-CREEK
Job No.: 803-01-01

SKETCH TO ACCOMPANY FIELD NOTES

